

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
DONALD MILESKE,

Plaintiff,

- against -

POLICE OFFICER JAMES CARLEY,  
POLICE OFFICER ALEJANDRO SANCHEZ,  
POLICE OFFICER OWEN O'CALLAGHAN,  
POLICE OFFICER PETER GUARASCIO,  
POLICE OFFICER FREDERICK MIGNONE, and  
POLICE OFFICER KEITH BOLES,

Defendants.  
-----X

**Verdict**

09-CV-3856 (SJF) (ARL)

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ JUL 19 2011 ★  
LONG ISLAND OFFICE

**Feuerstein, Judge:**

According to the principles of law as instructed by the Court and the facts as you find them,  
please answer each of the following questions:

1. Did Donald Mileski prove by a preponderance of the evidence that Police Officer James Carley intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Go to Question No. 2.

COURT EXHIBIT

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2. Did Donald Mileski prove by a preponderance of the evidence that Police Officer Alejandro Sanchez intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Go to Question No. 3.

3. Did Donald Mileski prove by a preponderance of the evidence that Police Officer Owen O'Callaghan intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Go to Question No. 4.

4. Did Donald Mileski prove by a preponderance of the evidence that Police Officer Peter Guarascio intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Go to Question No. 5.

5. Did Donald Mileski prove by a preponderance of the evidence that Police Officer Frederick Mignone intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Go to Question No. 6.

6. Did Donald Mileski prove by a preponderance of the evidence that Police Officer Keith Boles intentionally or recklessly committed acts that violated his constitutional right not to be subjected to excessive or unreasonable force during his arrest and detention, and that these acts caused Donald Mileski's injuries?

Yes \_\_\_\_\_ No ✓

Foreperson please sign and date the Verdict Sheet and advise the Court by note that you are ready to return to the courtroom to announce your verdict.

Dated: Central Islip, NY  
July 19, 2011

Kristen J.  
FOREPERSON 7/19/11